

purpose of the Constitution, both as relates to the authority of the chief executive in having executed all the laws of the State and in defending its rights and demanding its dues, and in prescribing limitations beyond which the Legislature does not venture, it must certainly strongly appeal to the sound discretion of each and every member of this Legislature that a man so discreet in his actions, so honest in all his purposes, so patriotic in his impulses and expressions, so scrupulous and exact in his observance and construction of the Constitution and laws of this State under all circumstances, so supreme and statesmanlike in all his judgments affecting the interest of his beloved State, so laudibly ambitious in his aspirations for political ascension as was Governor Culbertson, should have made the agreement upon which this claim is based, accepted its benefits and recommended the payment of the sum due. If in reality it is thought the Constitution stands as an inhibition against the payment of this just debt, is this not a case so environed and circumstanced that the Legislature may not justly say to itself, as did Bassanio to Portia, "I beseech you, Wrest once the law to your authority. To do a great right, to do a little wrong."

In making this plea the question is not begged. Not as beggars do we protest, but impelled by a sense of duty as we view it in the light of Constitutional law, we urge in the name of the people that Texas be not stained with the charge of repudiation. Not in defense of Governor Hogg do we protest. He needs no defense. In the days gone by, many is the lance that has been hurled at and shattered upon his character, many a bright stiletto has been thrust in his back, but the gallant knight unharmed has always sallied forth the victor. The people of Texas will continue to hold him in their estimation as honest and true, uncompromising in his war against those principles which he believes to be adverse to the best interests of the masses, and intelligent enough to successfully combat all of his enemies.

We move the minority be substituted for the majority report.

DIBRELL,
MORRISS.

I concur in the views expressed in the above, so far as Hogg & Robertson should receive compensation for their services to the State, not to exceed ten per cent. on the net amount realized by the State of Texas.

In regard to the constitutionality of the question, my opinion is that all such

questions should be left to the higher courts for their final determination.

WAYLAND.

Committee Room,
Austin, Texas, March 30, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 283, being a bill to be entitled "An Act to amend Section 37. of Article 22, Title IV, Revised Civil Statutes of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, relating to the Thirty-seventh Judicial District Court and the Forty-fifth Judicial District Court of Texas, in Bexar county, prescribing the jurisdiction thereof, fixing the time of holding said courts, providing for the election of the judges thereof and of the district attorney of the Thirty-seventh Judicial District; and to create the Fifty-seventh Judicial District of the State of Texas, to fix the time of holding court therein, and to prescribe the jurisdiction thereof, and to provide for the appointment of a district judge of said Fifty-seventh Judicial District; and to prescribe the time for holding the district courts of Bexar county of the Thirty-seventh Judicial District and the Forty-fifth Judicial District, and to define the jurisdiction thereof; and to repeal all laws and parts of laws in conflict therewith."

And find the same correctly engrossed.
JAMES, Chairman.

Action recurred to pending business. Senate bill No. 171 (see caption above), and

On motion of Senator Potter, the Senate adjourned until 10 a. m. tomorrow.

FIFTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas, Friday, March 31, 1899.

Senate met pursuant to adjournment. President Pro Tem. Stafford in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Hanger.
Burns.	James.
Davidson.	Kerr.
Dibrell.	Linn.
Goss.	Lloyd.
Gough.	McGee.
Greer.	Miller.
Grinnan.	Morriess.

Neal.	Terrell.
Patterson.	Turney.
Potter.	Wayland.
Ross.	Yantis.
Sebastian.	Yett.
Stafford.	

Absent.

Johnson.	Odell.
Lewis.	Stone.

Prayer by the Chaplain, Rev. Dr. Den-
son.

Pending the reading of the Journal of
yesterday,

On motion of Senator Greer, the same
was dispensed with.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Public
Health, to whom was referred

Senate bill No. 279, being a bill to be
entitled "An Act to regulate the practice
of medicine and surgery, to license phy-
sicians, surgeons and midwives, and to
punish persons violating the provisions
thereof in the State of Texas,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do pass*.

YETT, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Roads,
Bridges and Ferries, to whom was re-
ferred

Senate bill No. 274, being a bill to be
entitled "An Act to create a more effi-
cient road system for the county of De
Witt,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do pass*.

TERRELL, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 293, being a bill to be
entitled "An Act to define and punish
unjust discrimination by officers, agents
and employes, and receivers, their offi-

cers, servants, agents and employes of
railroad companies in this State,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Mining and
Irrigation, to whom was referred

Senate bill No. 297, being a bill to be
entitled "An Act to amend Article 496,
Chapter 2, Title XIII, of the Penal Code
of the State of Texas, relating to irri-
gation canals, wells, reservoirs, etc., and
the protection thereof,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do pass*.

GREER, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Mining and
Irrigation, to whom was referred

Senate bill No. 295, being a bill to be
entitled "An Act to amend Chapter 2,
of Title LX, of the Revised Statutes of
Texas, as relating to irrigation, so as to
insert Article 3125a, providing for the
equality of price to all irrigators,"

Have had the same under considera-
tion, and I am instructed to report the
same back to the Senate with the recom-
mendation that it *do pass*.

GREER, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

*Hon. R. N. Stafford, President Pro Tem.
of the Senate.*

SIR: Your Committee on Public
Roads, Bridges and Ferries, to whom
was referred

House bill No. 531, being a bill to be
entitled "An Act to create a more effi-
cient road system for Navarro county,
Texas, and making the county commis-
sioners of said county ex-officio road com-
missioners, and prescribing their duties
as such, and providing for their compen-
sation as such road commissioners, and
providing for the working of county con-
victs upon the public roads of said
county, and providing for commutation
of time for good behavior and good ser-
vice, and providing for a reward to be
offered for the recapture of an escaped
county convict, and taxing said reward
and all actual costs of capture and deliv-
ery of said convict against said convict,

and providing for a penalty for the escape of a county convict, and providing for the trimming of hedges by the owners of land, and providing penalty for failure to trim said hedges, and providing the amount in compensation in road time to be allowed by overseers to road hands for teams, plows, scrapers and wagons, and providing for the condemnation of land for public road purposes, and providing for working of delinquent poll tax payers on the public roads, and relieving them from the performance of said work by the payment of the sum of three dollars, and providing further, making this law cumulative of the general laws, and in case of conflict, this act to govern as to Navarro county, Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*.

YANTIS, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

Hon. R. N. Stafford, President Pro Tem of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 305, being a bill to be entitled "An Act to transfer San Augustine county from the community to the district school system,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do pass*, and recommend that the bill be not printed.

GOSS, Chairman.

Committee Room,
Austin, Texas, March 30, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills, have carefully examined and compared

Senate bill No. 145, being a bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school, to be located at Denton, Texas, and be known as the North Texas Normal College,"

And find the same correctly enrolled, and have this day, at 12:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, March 30, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled

Bills, have carefully examined and compared

Senate bill No. 188, being a bill to be entitled "An Act to provide a uniform method of electing school trustees in independent districts, defining the duties of such trustees in reference to the election of superintendents of schools and the control of schools in such independent districts, and repealing Article 4008, of the Revised Civil Statutes, and all other laws, both general and special, in conflict with the provisions of this act, and providing an emergency,"

And find the same correctly enrolled, and have this day, at 12:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

INVITATION.

The following was sent up by Senator Yett:

The members of the Senate, officers, clerks and their lady friends are cordially invited to join in an excursion to Marble Falls and Granite Mountain, on the Austin & Northwestern Railroad, on Sunday, April 2, 1899. Train will leave Austin at 8 o'clock a. m., and return at 7 p. m., the same day, thus allowing three hours at the falls and one hour at Granite Mountain. Those who wish to go will please hand their names to D. W. Phillips, member of the House, by Saturday, 10 o'clock, and free transportation will be issued in the reception room of the House Saturday afternoon. Those wishing dinner at the falls will please so state, so that I can have the same prepared, which will not exceed fifty cents each.

On motion of Senator Ross, the above invitation was accepted.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 192, A bill to be entitled "An Act to provide and equip certain eleemosynary institutions of the State with an efficient and permanent system of fire escapes, authorizing the purchase of such fire escapes by the board of managers of the institutions herein named, with the approval of the Governor of the

State, and making an appropriation therefor" (with amendments).

Also Senate bill No. 223, A bill to be entitled "An Act to amend Article 4445, of the Revised Civil Statutes of the State of Texas, and to authorize railroad corporations to acquire new right of way for the purpose of shortening the line or reducing the grades" (with amendment).

Respectfully,

LEE J. ROUNTREE,

Chief Clerk House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Greer:

Senate bill No. 305, A bill to be entitled "An Act to transfer San Augustine county from the community to the district school system."

Read first time, and referred to Committee on Education.

By Senator Greer:

Senate bill No. 306, A bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railway Company to purchase, own and operate the railroad, including all the property, property rights, franchises and appurtenances of the Gulf, Beaumont & Great Northern Railway Company now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont & Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company, to issue bonds and to secure the same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company, under orders of the Railroad Commission of Texas; and to enable the said corporation, the Gulf, Beaumont & Great Northern Railway Company, to construct this proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stock and bonds."

Read first time, and referred to Committee on Internal Improvements.

Call concluded.

SPECIAL ORDER.

The Chair laid before the Senate, Senate bill No. 285, A bill to be entitled "An Act fixing the fees to be charged by the Commissioner of the General Land Office when his depositions, as such commissioner, are taken."

Pending action.

On motion of Senator Burns pending business was suspended to take up, on third reading.

Senate bill No. 268, A bill to be entitled "An Act to amend Sections two (2), six (6), ten (10) and fourteen (14), of the Special Laws of the Twenty-fifth Legislature, entitled 'An Act to provide a charter for the city of Houston, Harris county, Texas,' and to add to said act Section forty-one A (41A), to provide for the extension of the corporate limits for purposes of improving Buffalo Bayou, and providing that the land embraced in said extension shall not be subject to taxation by said city."

The bill was read a third time, and passed.

On motion of Senator Neal pending business was suspended to take up, on second reading.

Senate bill No. 165, A bill to be entitled "An Act to authorize the Superintendent of the State Penitentiaries, with the advice and consent of the Governor, to sell the State's interest in certain lands situated in Maverick county, being an undivided interest of two-thirds in 320 acres, survey No. 50, in the name of John James, assignee of Hendrick Arnold, and to pay over the proceeds thereof to the Financial Agent of the State Penitentiaries for the use of the penitentiaries."

The bill was read a second time, and ordered engrossed.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—25.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Neal.
Dibrell.	Potter.
Goss.	Ross.
Greer.	Sebastian.
Grinnan.	Stafford.
Hanger.	Terrell.
Johnson.	Turney.
Lewis.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Nays—1.

Patterson.

Absent.

Gough.	Odell.
James.	Stone.
Kerr.	

The bill was read a third time, and passed by the following vote:

Yeas—23.

Atlee.	Dibrell.
Burns.	Goss.
Davidson.	Greer.

Grinnan.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Terrell.
Lloyd.	Turney.
McGee.	Wayland.
Miller.	Yantis.
Morriss.	Yett.
Neal.	

Nays—2.

Patterson.	Potter.
	Absent.
Gough.	Linn.
Johnson.	Odell.
Lewis.	Stone.

PENDING BUSINESS.

The Chair laid before the Senate, on second reading,

Senate bill No. 171, A bill to be entitled "An Act to amend Articles 3094 and 3095, Chapter 3, of Title LVIII, of the Revised Statutes of the State of Texas, making any person or persons, company, co-partnership or corporation, who shall make, or cause to be made, write, or cause to be written, either for himself or for another, any contract or policy of insurance in any insurance company not authorized to do business in this State, liable to the State for the same taxes and penalties, general and special, State, county and municipal, as insurance companies that have been legally qualified and admitted to do business in this State by agents or otherwise, and prescribing method of collecting such tax, and fixing penalty for non-compliance with terms and conditions of this act," which was pending on adjournment on yesterday, action being on engrossment.

By Senator McGee:

"Amend Senate bill No. 171, by inserting after the word 'State' in line 30, page 1, the following: 'Provided, that upon oath made in writing by any person that he cannot procure insurance on property through any local insurance agent in any county in Texas, it shall be lawful for any insurance company not having an agent in Texas, to insure said property upon the filing of said oath with the county clerk of the county of the residence of the person making said oath.'"

By Senator Miller:

Substitute the amendment as follows:

"Amend the amendment offered by Senator McGee by adding after the words 'having an agent in Texas,' 'or in said county of the residence of affiant.'"

Adopted.

The amendment as substituted was adopted.

By Senator McGee:

"Amend Senate bill No. 171 by striking out all of lines 18, 19, 20, 21, 22 and 23, page 2, Section 2; also all of Section 3, pages 2 and 3."

Adopted.

By Senator Morriss:

"Amend by adding after the word 'act' on page 2, line 17 of bill, the following: 'And provided, that no policy of insurance affected by this bill shall contain any provision requiring an arbitration of the loss before suit may be brought thereon, and in any policy containing such provision, such provision shall be held null and void.'"

Adopted.

By Senator Potter:

"Amend Section 1, page 2, line 3 of printed bill, by inserting after the word 'other' the following: 'Knowing that the company issuing such policy is not authorized to do business in this State.'"

By Senator Greer:

Substitute the amendment as follows:

"Amend by inserting the word 'wilfully' after the word 'who' in line 12, page 2."

Lost.

By Senator Dibrell:

"Amend the amendment so as to make it read as follows: 'Amend the bill by striking out all of Article 3095.'"

Lost.

The amendment (Potter's) was then adopted.

(Senator Kerr in the chair.)

By Senator Potter:

"Amend the bill, page 2, by striking out all after the word 'insurance' in line 9 of printed bill, down to Section 2, and insert the following in lieu thereof: 'And in case of failure to so do said policy of insurance shall be deemed and held void, and no recovery shall be had thereon.'"

By Senator Davidson:

Substitute for the amendment:

"Amend by striking out line 17 of the bill, page 1."

(The amendment struck out the enacting clause.)

Adopted by the following vote:

Yeas—12.

Atlee.	Potter.
Burns.	Ross.
Davidson.	Stafford.
Dibrell.	Terrell.
Kerr.	Turney.
Patterson.	Wayland.

Nays—9.

Greer.	James.
Grinnan.	Lloyd.
Hanger.	McGee.

Morriss. Yett.
Yantis.

Absent.

Goss. Neal.
Gough. Odell.
Johnson. Sebastian.
Lewis. Stone.
Miller.

Senator Morriss called up

Senate bill No. 192, A bill to be entitled "An Act to provide and equip certain eleemosynary institutions of the State with an efficient and permanent system of fire escapes, authorizing the purchase of such fire escapes by the board of managers of the institutions herein named, with the approval of the Governor of the State, and making an appropriation therefor," which had passed the House with amendments, and moved that the Senate concur in said amendments.

Concurred by the following vote:

Yeas—16.

Atlee. McGee.
Davidson. Morriss.
Dibrell. Sebastian.
Greer. Stafford.
Hanger. Terrell.
James. Turney.
Kerr. Wayland.
Lloyd. Yett.

Nays—5.

Grinnan. Ross.
Patterson. Yantis.
Potter.

Absent.

Goss. Miller.
Gough. Neal.
Johnson. Odell.
Lewis. Stone.
Linn.

On motion of Senator Davidson the pending business (Senate bill No. 285) was suspended to take up, on second reading,

House bill No. 350, A bill to be entitled "An Act to require railway companies to receive and transport all freights coming to them from steamships, steamboats and other water craft and vessels, without discrimination for or against any other steamship line, steamboat line, owner or company, or the owner or owners of any other water craft or vessel," action being on passage to third reading.

The bill was passed to a third reading.

On motion of Senator Stafford the pending business (Senate bill No. 285) was suspended to take up, on second reading,

Senate bill No. 292, A bill to be entitled "An Act to amend Article 4513, Title

XCIV, Chapter 10, of the Revised Civil Statutes of 1895, relating to exemptions from the operation of the separate coach law of the State of Texas."

The bill was read a second time, and ordered engrossed.

(President Pro Tem. Stafford in the chair.)

On motion of Senator Turney the pending business (Senate bill No. 285) was suspended to take up, on second reading,

House bill No. 308, A bill to be entitled "An Act to amend Article 1731, of the Revised Civil Statutes of the State of Texas."

The bill was read a second time.

By Senator Turney:

"Amend by adding to the caption of bill the following: 'Relating to qualification of voters at elections.'"

Adopted.

The bill as amended was passed to a third reading.

BILLS SIGNED.

The Chair gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read,

Substitute House bill No. 523, "An Act to provide for the construction and maintenance of drains, ditches and water-courses for the improvement and enlargement of natural drainage of the several counties within the State of Texas; authorizing commissioners courts to order an election for the purpose of determining upon the levy of a tax for the construction of such ditches, drains and water-courses, and providing for assessment and collection of such tax, and declaring an emergency."

House bill No. 555, "An Act to amend an act passed by the Twenty-fifth Legislature in the year 1897, entitled 'An Act to amend Subdivision 15, of Article 22, of the Revised Civil Statutes of the State of Texas, relative to the time of holding the terms of the district court of the Fifteenth Judicial District of Texas, passed by the Twenty-fourth Legislature in the year 1895, and to repeal all laws in conflict with this act,' providing for the selection and empaneling of grand juries for the January term of said court, and to repeal all laws in conflict with this act."

MOTION TO RECONSIDER.

Senator Davidson entered a motion to reconsider the vote by which the amendment striking out the enacting clause of Senate bill No. 171 (see above) was adopted.

Senator Miller moved to adjourn until Monday next, 10 a. m.

Senator Davidson moved to adjourn until 3 p. m. today.

The Senate refused to adjourn until Monday next by the following vote:

Yeas—8.

Hanger.	Neal.
James.	Ross.
Kerr.	Wayland.
Miller.	Yantis.

Nays—16.

Atlee.	Lloyd.
Burns.	Morriss.
Davidson.	Potter.
Dibrell.	Sebastian.
Goss.	Stafford.
Gough.	Terrell.
Greer.	Turney.
Grinnan.	Yett.

Absent.

Johnson.	Odell.
Lewis.	Patterson.
Linn.	Stone.

The Senate then adjourned until 3 p. m. today by the following vote:

Yeas—19.

Atlee.	Miller.
Burns.	Morriss.
Davidson.	Potter.
Dibrell.	Ross.
Goss.	Sebastian.
Gough.	Terrell.
Greer.	Turney.
Grinnan.	Wayland.
Kerr.	Yett.
Lloyd.	

Nays—5.

Hanger.	Stafford.
James.	Yantis.
McGee.	

Absent.

Johnson.	Odell.
Lewis.	Patterson.
Linn.	Stone.
Neal.	

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

President Pro Tem. Stafford in the chair.

Roll called. No quorum, the following Senators answering to their names:

Atlee.	James.
Burns.	Linn.
Dibrell.	Lloyd.
Goss.	Neal.
Greer.	Patterson.
Grinnan.	Potter.
Hanger.	Ross.

Sebastian.	Yantis.
Stafford.	Yett.

Absent.

Davidson.	Morriss.
Gough.	Odell.
Johnson.	Stone.
Kerr.	Terrell.
Lewis.	Turney.
McGee.	Wayland.
Miller.	

Senator Goss moved a call of the Senate for the purpose of securing a quorum, which was duly seconded and ordered, the following Senators answering to their names:

Atlee.	Neal.
Burns.	Odell.
Davidson.	Patterson.
Dibrell.	Potter.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Stafford.
Grinnan.	Terrell.
Hanger.	Wayland.
James.	Yantis.
Kerr.	Yett.
Lloyd.	

Absent.

Johnson.	Miller.
Lewis.	Morriss.
Linn.	Stone.
McGee.	Turney.

Quorum present.

EXCUSED.

On motion of Senator Ross, Senator Yett was excused for non-attendance on Monday, Tuesday and Wednesday of this week on account of important business.

On motion of Senator Potter, Senator Lewis was excused for today on account of important business.

On motion of Senator McGee, Senator Morriss was excused for the remainder of today on account of important business.

RESOLUTION.

By Senator Atlee:

Senate Concurrent Resolution No. 18.

Whereas, The Congress of the United States, by an Act approved September 9, 1850, in consideration for certain territory relinquished to the United States, bound the general government to pay to the State of Texas ten million (\$10,000,000) dollars in stock, bearing interest at the rate of five per centum per annum; and by a further Act, approved February 28, 1855, appropriated two million five hundred thousand (\$2,500,000) dollars to pay certain claims made by the State of Texas against the United States by

reason of Indian depredations, the two said acts evidencing an obligation on the part of the United States to the State of Texas of \$12,500,000, a portion of which carries interest at five per centum per annum, and

Whereas, There is no evidence in any of the departments of the State showing how or when the said obligations have been discharged, if they have in fact been discharged; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Governor of the State be and he is hereby requested to obtain, through the proper channels at Washington, an account in full and in detail showing all transactions between the general government and the State of Texas, respecting the obligations referred to in the preamble of this resolution, and to submit the same to this Legislature, if practicable, or to the next Legislature, for examination, and for the information of the people of the State.

The resolution was read.

By Senator Odell:

"Amend by adding the following: 'Provided, that no attorneys' fees, contingent or otherwise, shall be paid or contracted for in securing the information herein requested.'"

Adopted.

The resolution as amended was then adopted.

On motion of Senator Goss, the pending business (Senate bill No. 285, see Journal of morning session) was suspended to take up, on second reading,

Substitute Senate bill No. 195, A bill to be entitled "An Act to grant relief to certain teachers who taught during the school year of 1895-96 in Greer county, which was then considered a portion of the State of Texas, the said services as teachers terminating with the date of the decision of the Supreme Court of the United States, transferring the county of Greer from the State of Texas and making it a part of the Territory of Oklahoma."

The bill was read a second time, with committee substitute therefor by a majority of the committee, and adverse minority committee report.

The Chair put the question on the adoption of the majority committee report (adoption of the substitute bill.)

The majority report was adopted by the following vote:

Yeas—16.

Atlee.	Goss.
Burns.	Gough.
Davidson.	Greer.
Dibrell.	Hanger.

Johnson.
Lloyd.
Neal.
Patterson.

Sebastian.
Terrell.
Wayland.
Yett.

Nays—7.

James.
Kerr.
Linn.
Odell.

Potter.
Ross.
Yantis.

Absent.

Lewis.
McGee.
Miller.

Stone.
Turney.

Absent—Excused.

Morriss.

By Senator Davidson:

"Amend Section 1 by adding in line 20 the following: 'Provided, that no sum shall be paid to any holder of a voucher as hereinafter set out who acquired the same after the 16th day of March, 1896.'"

Adopted by the following vote:

Yeas—12.

Davidson.
Grinnan.
James.
Johnson.
Kerr.
Odell.

Potter.
Ross.
Sebastian.
Terrell.
Wayland.
Yantis.

Nays—10.

Atlee.
Burns.
Goss.
Gough.
Greer.

Hanger.
Lloyd.
Neal.
Patterson.
Yett.

Absent.

Lewis.
McGee.
Miller.

Stafford.
Stone.
Turney.

Absent—Excused.

Morriss.

By Senator Grinnan:

"Amend by adding the following:

"Section 4. Any persons owning any of said claims as purchasers shall only be allowed the amount paid therefor, with six per cent. interest, not to exceed the original amount of the claim in this act stated, which facts shall be shown by affidavit."

Lost by the following vote:

Yeas—6.

Davidson.
Grinnan.
Kerr.

Odell.
Potter.
Ross.

Nays—17.

Atlee.
Burns.

Dibrell.
Goss.

Gough.	Patterson.
Greer.	Sebastian.
Hanger.	Terrell.
James.	Wayland.
Johnson.	Yantis.
Lloyd.	Yett.
Neal.	

Absent.

Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.
Miller.	

Absent—Excused.

Morriss.

The bill as amended was ordered engrossed by the following vote:

Yeas—17.

Atlee.	Johnson.
Burns.	Lloyd.
Davidson.	Neal.
Dibrell.	Patterson.
Goss.	Sebastian.
Gough.	Terrell.
Greer.	Wayland.
Hanger.	Yett.
James.	

Nays—6.

Grinnan.	Potter.
Kerr.	Ross.
Odell.	Yantis.

Absent.

Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.
Miller.	

Absent—Excused.

Morriss.

On motion of Senator Goss, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lloyd.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Patterson.
Goss.	Ross.
Gough.	Sebastian.
Greer.	Terrell.
Hanger.	Wayland.
James.	Yantis.
Johnson.	Yett.
Kerr.	

Nays—1.

Potter.

Absent.

Grinnan.	Linn.
Lewis.	McGee.

Miller.	Stone.
Stafford.	Turney.

Absent—Excused.

Morriss.

The bill was read a third time, and passed by the following vote:

Yeas—18.

Atlee.	Johnson.
Burns.	Kerr.
Davidson.	Lloyd.
Dibrell.	Neal.
Goss.	Patterson.
Gough.	Sebastian.
Greer.	Terrell.
Hanger.	Wayland.
James.	Yett.

Nays—5.

Grinnan.	Ross.
Odell.	Yantis.
Potter.	

Absent.

Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.
Miller.	

Absent—Excused.

Morriss.

Senator Yantis moved to suspend pending business (Senate bill No. 285) to take up,

Senate bill No. 118, A bill to be entitled "An Act to prohibit the officer, agent or representative of any railroad corporation from giving free transportation over the lines of such railroad to any person other than the agents, representatives, employes or attorneys of such railroads, and to fix a penalty for the violation of the provisions of this act."

Lost.

On motion of Senator Terrell, the pending business (Senate bill No. 285) was suspended to take up, on third reading,

Senate bill No. 265, A bill to be entitled "An Act to amend Article 3964, of the Revised Civil Statutes of 1895, as amended by the Twenty-fifth Legislature, and providing for taking the scholastic census biennially."

The bill was read a third time, and passed.

Senator Terrell moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Lloyd, the pending business (Senate bill No. 285) was suspended to take up, on second reading,

Senate bill No. 290, A bill to be entitled "An Act to amend Article 4968 (4584), Title CII, Chapter 4, of the Revised Statutes of 1895, relating to estrays."

The bill was read a second time, and ordered engrossed.

Senator Gough moved to reconsider the vote by which the Senate refused to suspend pending business, and to take up Senate bill No. 118 (see above).

Lost by the following vote:

Yeas—10.

Atlee.	Odell.
Dibrell.	Potter.
Gough.	Terrell.
Grinnan.	Yantis.
James.	Yett.

Nays—11.

Burns.	Lloyd.
Davidson.	Neal.
Greer.	Ross.
Hanger.	Sebastian.
Johnson.	Wayland.
Kerr.	

Absent.

Lewis.	Stafford.
Linn.	Stone.
Miller.	Turney.

Absent—Excused.

Morriss.

On motion of Senator Greer, the pending business (Senate bill No. 285) was suspended to take up, on second reading,

Senate bill No. 305, A bill to be entitled "An Act to transfer San Augustine county from the community to the district school system."

On motion of Senator Greer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its second reading by the following vote:

Yeas—22.

Atlee.	Lloyd.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Terrell.
James.	Wayland.
Johnson.	Yantis.
Kerr.	Yett.

Absent.

Goss.	Miller.
Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.

Absent—Excused.

Morriss.

The bill was read a second time, and ordered engrossed.

On motion of Senator Greer, the con-

stitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Lloyd.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Grinnan.	Terrell.
Hanger.	Wayland.
James.	Yantis.
Johnson.	Yett.
Kerr.	

Absent.

Goss.	Miller.
Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.

Absent—Excused.

Morriss.

The bill was read a third time, and passed by the following vote:

Yeas—22.

Atlee.	Lloyd.
Burns.	Neal.
Davidson.	Odell.
Dibrell.	Patterson.
Gough.	Potter.
Greer.	Ross.
Grinnan.	Sebastian.
Hanger.	Terrell.
James.	Wayland.
Johnson.	Yantis.
Kerr.	Yett.

Absent.

Goss.	Miller.
Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.

Absent—Excused.

Morriss.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate that the House has concurred in Senate amendment to House bill No. 249.

Also that the House has concurred in Senate amendments to House bill No. 124.

Respectfully,

LEE J. ROUNTREE,
Chief Clerk House of Representatives.

COMMITTEE REPORTS.

The following committee reports were made:

Committee Room,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 130, being a bill to be entitled "An Act to amend Chapter 153, of the General Laws of the State of Texas passed at the Regular Session of the Twenty-fifth Legislature, entitled 'An Act to prohibit the taking of fish from the fresh water lakes and streams of this State, otherwise than by means of the ordinary hook and line and trot line, and to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' by exempting Stephens, Eastland, Palo Pinto and other counties from certain provisions of this chapter,"

And find the same correctly enrolled, and have this day, at 3:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

Hon. R. N. Stafford, President Pro Tem. of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 306, being a bill to be entitled "An Act to authorize the Gulf, Beaumont & Kansas City Railroad Company to purchase, own and operate the railroad, including all the property, property rights, franchises and appurtenances, of the Gulf, Beaumont & Great Northern Railway Company now existing or that may hereafter be built or acquired by the Gulf, Beaumont & Great Northern Railway Company; and to authorize the Gulf, Beaumont and Kansas City Railway Company, in the name of the Gulf, Beaumont & Great Northern Railway Company to issue bonds and to secure the same by mortgage upon the railway property, property rights and franchises of the Gulf, Beaumont & Great Northern Railway Company, under orders of the Railroad Commission of Texas; and to enable the said corporation, the Gulf, Beaumont & Great Northern Railway Company, to construct this proposed line of railway as provided in its charter, and for said purpose to raise money through the issuance of stocks and bonds,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

WAYLAND, Acting Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 300, being a bill to be entitled "An Act to amend Article 5243j, of the Revised Statutes of Texas, relating to notice and forfeiture of charters and permits of domestic and foreign corporations,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

GOUGH, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Senate bill No. 291, being a bill to be entitled "An Act to provide against a public calamity afflicting the inhabitants of Webb county, Texas, by relieving the inhabitants and property in said county from the payment of taxes levied for State purposes for the years 1899 and 1900,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

GOUGH, Chairman.

Committee Room,
Austin, Texas, March 31, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Affairs, to whom was referred

Substitute House bill Nos. 160, 501 and 574, being a bill to be entitled "An Act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors, and their widows, under certain conditions, and to make an appropriation therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it be referred to Committee on Finance.

GOUGH, Chairman.

Senator Kerr moved to adjourn until 10 a. m. Monday.

Lost.

Senator Grinnan moved to suspend pending business (Senate bill No. 285) to take up

Senate bill No. 221, A bill to be entitled "An Act to amend Article 3071, of Chapter 3, Title LVIII, of the Revised Civil Statutes of the State of Texas, relating to insurance."

Lost.

PENDING BUSINESS.

The Chair then laid before the Senate, pending business,

Senate bill No. 285, A bill to be entitled "An Act fixing the fees to be charged by the Commissioner of the General Land Office when his depositions, as such Commissioner, are taken," action being on engrossment.

By Senator Hanger:

"Amend by substituting the following for Section 1:

"Section 1. Whenever any party to any suit pending in any of the courts of this State shall devise to take the depositions of the Commissioner of the General Land Office, touching any matter shown by the records and documents in said office, such party shall apply to the proper officer or court as in other cases made and provided by law for a commission, which commission shall be addressed to the Commissioner of the General Land Office of the State of Texas or the chief clerk of said office. Said commission shall command either of said officers to answer in writing the direct and cross interrogatories thereto attached in a clear and concise manner. Said commission, together with the direct and cross interrogatories, shall be forwarded to said Commissioner direct, who shall make oath to said answers before some officer authorized by law. Said answers, together with the commission and direct and cross interrogatories shall be returned to the officer issuing said commission by officer taking the oath of such party, as now provided by law. The party propounding the interrogatories shall pay to the Commissioner of the General Land Office, to the use and benefit of the State, fifteen cents for each and every one hundred words, including formal parts and certificates, contained in the answers to the direct and cross interrogatories. Certified copies of any paper, document or record, or part thereof, which is requested to be attached to any answer or made a part of such answer, shall be charged for as now provided by law for certified and translated copies, and shall

pay to the officer taking the affidavit fifty cents therefor.'"

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Potter, the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—18.

Atlee.	Neal.
Burns.	Odell.
Dibrell.	Potter.
Gough.	Ross.
Greer.	Sebastian.
Hanger.	Terrell.
James.	Wayland.
Kerr.	Yantis.
Lloyd.	Yett.

Nays—3.

Davidson.	Patterson.
Grinnan.	

Absent.

Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.
Miller.	

Absent—Excused.

Morriss.

The bill was read a third time, and passed by the following vote:

Yeas—17.

Atlee.	Patterson.
Burns.	Potter.
Dibrell.	Ross.
Gough.	Sebastian.
Greer.	Terrell.
Hanger.	Wayland.
James.	Yantis.
Johnson.	Yett.
Lloyd.	

Nays—4.

Davidson.	Kerr.
Grinnan.	Odell.

Absent.

Goss.	Miller.
Lewis.	Stafford.
Linn.	Stone.
McGee.	Turney.

Absent—Excused.

Morriss.

Senator Yantis moved to suspend the regular order of business to take up, on second reading,

Senate bill No. 118 (anti-free pass bill).

Pending action,

On motion of Senator Davidson, the

Senate adjourned until 10 a. m. Monday
by the following vote:

Yeas—16.

Atlee.	Kerr.
Burns.	Lloyd.
Davidson.	Neal.
Dibrell.	Patterson.
Goss.	Ross.
Greer.	Sebastian.
Hanger.	Wayland.
Johnson.	Yett.

Nays—7.

Gough.	Potter.
Grinnan.	Terrell.
James.	Yantis.
Odell.	

Absent.

Lewis.	Miller.
Linn.	Stafford.
McGee.	Stone.

Absent—Excused.

Morriss.

FIFTY-NINTH DAY.

Senate Chamber,

Austin, Texas, Monday, April 3, 1899.

Senate met pursuant to adjournment.

President Pro Tem. Stafford in the
chair.

Roll called. No quorum, the following
Senators answering to their names:

Atlee.	Patterson.
Burns.	Ross.
Grinnan.	Sebastian.
Hanger.	Stafford.
Johnson.	Terrell.
Kerr.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Potter.
James.	Stone.
Lewis.	Turney.
Linn.	Wayland.

Senator Terrell moved to adjourn to
10 a. m. Wednesday.

Lost, by the following vote:

Yeas—6.

Atlee.	Ross.
Johnson.	Terrell.
Kerr.	Yantis.

Nays—9.

Burns.	Hanger.
Grinnan.	Lloyd.

McGee.
Patterson.
Sebastian.

Stafford.
Yett.

Absent.

Davidson.	James.
Dibrell.	Lewis.
Goss.	Linn.
Gough.	Miller.
Greer.	Morriss.
Neal.	Stone.
Odell.	Turney.
Potter.	Wayland.

Senator Lloyd moved to adjourn to 10
a. m. tomorrow.

Lost, by the following vote:

Yeas—7.

Atlee.	Sebastian.
Burns.	Stafford.
Lloyd.	Yett.
Patterson.	

Nays—8.

Grinnan.	McGee.
Hanger.	Ross.
Johnson.	Terrell.
Kerr.	Yantis.

Absent.

Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Potter.
James.	Stone.
Lewis.	Turney.
Linn.	Wayland.

Senator Kerr moved to adjourn to 3
p. m. tomorrow.

Lost, by the following vote:

Yeas—5.

Atlee.	Sebastian.
Kerr.	Yett.
Patterson.	

Nays—9.

Burns.	McGee.
Grinnan.	Ross.
Hanger.	Terrell.
Johnson.	Yantis.
Lloyd.	

Absent.

Davidson.	Miller.
Dibrell.	Morriss.
Goss.	Neal.
Gough.	Odell.
Greer.	Potter.
James.	Stone.
Lewis.	Turney.
Linn.	Wayland.

Senator Yantis moved to adjourn to
9:45 a. m. Wednesday.

Lost, by the following vote: